IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Alexandria Division

| UNITED STATES OF AMERICA |) | |
|--------------------------|---|-------------------------|
| | j | 1:12CR3 |
| v. |) | |
| |) | Hearing: April 13, 2012 |
| KIM DOTCOM, et al., |) | 10:00 a.m. |
| |) | |
| Defendants. |) | |

ORDER TO SEAL

The UNITED STATES, pursuant to Local Rule 49(E) of the Local Criminal Rules for the United States District Court for the Eastern District of Virginia, having moved to seal all but the first paragraph Section I of the [Proposed] Reply of the United States to Defendant Megaupload Ltd's Response to Non-Party Carpathia Hosting's Emergency Motion for a Protective Order; and

The COURT, having considered the government's submissions, including the facts presented by the government to justify sealing; having found that revealing the material sought to be sealed would jeopardize an ongoing criminal investigation and improperly reveal discovery matters that are not yet ripe for disclosure; having considered the available alternatives that are less drastic than sealing, and finding none would suffice to protect the government's legitimate interest in concluding the investigation; and having found that this legitimate government interest outweighs at this time any interest in the disclosure of the material; it is hereby

ORDERED, ADJUDGED, and DECREED that, the portions of the reply will be sealed until further Order of the Court.

> The Honorable Liam O'Grady United States Magistrate Judge

Date: April 13 2012